

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 1089 – HB 0869

March 11, 2013

SUMMARY OF ORIGINAL BILL: Prohibits clerks of court from charging the \$40.00 provided in Tenn. Code Ann. § 8-21-401(i)(6) if payment is made to a minor child or a conservator.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (004390): Prohibits clerks of court from charging the \$40.00 provided in Tenn. Code Ann. § 8-21-401(i)(6) if payment is made to a minor child, a guardian on behalf of a minor child, or a conservator.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- In legal proceedings, such as conservatorships and guardianships, property may be brought into the possession of the court prior to judgment. Such property is held by the clerks of the court. When the clerk pays out any proceeds from that property, the clerk may charge a \$40.00 fee.
- The bill exempts payments made to a minor child, to a guardian on behalf of a minor child, or to a conservator from being charged the fee.
- Based on research by Fiscal Review staff, there is only one county in Tennessee that charges this fee in connection with conservatorship and guardianship matters. It is assumed that any decrease in local revenue will not be significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

/trm